



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/538,038	Jay Patrick Slack	102790-135 (30069 US/2) <i>AMP/51M</i>

27389  
 NORRIS, MCLAUGHLIN & MARCUS  
 875 THIRD AVE  
 18TH FLOOR  
 NEW YORK, NY 10022

INTERNATIONAL APPLICATION NO.	
PCT/CH03/00830	
I.A. FILING DATE	PRIORITY DATE
12/17/2003	12/18/2002

CONFIRMATION NO. 1345

371 FORMALITIES LETTER



\*OC000000019465535\*

Date Mailed: 07/05/2006

### NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 06/08/2005
- Copy of the International Search Report filed on 06/08/2005
- Preliminary Amendments filed on 06/08/2005
- Information Disclosure Statements filed on 06/08/2005
- Biochemical Sequence Diskette filed on 06/16/2005
- Oath or Declaration filed on 06/08/2005
- Biochemical Sequence Listing filed on 06/08/2005
- Request for Immediate Examination filed on 06/08/2005
- U.S. Basic National Fees filed on 06/08/2005
- Priority Documents filed on 06/08/2005
- Power of Attorney filed on 06/08/2005
- Claims filed on 06/08/2005

Applicant's response filed 06/08/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 06/30/2006 have not been completed.

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under



**37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/538,038	PCT/CH03/00830	102790-135 (30069 US/2)





**STIC Biotechnology Systems Branch**

**RAW SEQUENCE LISTING**  
**ERROR REPORT**

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/538,038A  
Source: IFW  
Date Processed by STIC: 6/20/06

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE **CHECKER VERSION 4.4.0 PROGRAM**, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebs/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22315-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):  
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/10/06





## Raw Sequence Listing Error Summary

**ERROR DETECTED**      **SUGGESTED CORRECTION**      SERIAL NUMBER: 10/538,038A

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1      Wrapped Nucleics      The number/text at the end of each line "wrapped" down to the next line. This may occur if your file  
    Wrapped Aminos      was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will  
    prevent "wrapping."
- 2      Invalid Line Length      The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3 J Misaligned Amino      The numbering under each 5<sup>th</sup> amino acid is misaligned. Do not use tab codes between numbers;  
    Numbering      use space characters, instead.
- 4      Non-ASCII      The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please  
    ensure your subsequent submission is saved in ASCII text.
- 5      Variable Length      Sequence(s)      contain n's or Xaa's representing more than one residue. Per Sequence Rules,  
    each n or Xaa can only represent a single residue. Please present the maximum number of each  
    residue having variable length and indicate in the <220>-<223> section that some may be missing.
- 6      PatentIn 2.0      A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid  
    "bug"      sequences(s)     . Normally, PatentIn would automatically generate this section from the  
    previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to  
    the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for  
    Artificial or Unknown sequences.
- 7      Skipped Sequences      Sequence(s)      missing. If intentional, please insert the following lines for each skipped sequence:  
    (OLD RULES)      (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)  
    (i)      SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)  
    (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)  
    This sequence is intentionally skipped  
    Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
- 8      Skipped Sequences      Sequence(s)      missing. If intentional, please insert the following lines for each skipped sequence.  
    (NEW RULES)      <210> sequence id number  
    <400> sequence id number  
    000
- 9      Use of n's or Xaa's      Use of n's and/or Xaa's have been detected in the Sequence Listing.  
    (NEW RULES)      Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.  
    In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
- 10      Invalid <213>      Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or  
    Response      scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or  
    is Artificial Sequence. (see item 11 below)
- 11      Use of <220>      Sequence(s)      missing the <220> "Feature" and associated numeric identifiers and responses. Use  
    of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown."  
    Please explain source of genetic material in <220> to <223> section or use "chemically synthesized" as  
    explanation. (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32), also Sec. 1.823 of  
    Sequence Rules
- 12      PatentIn 2.0      Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file,  
    "bug"      resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence  
    listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
- 13      Misuse of n/Xaa      "n" can only represent a single nucleotide; "Xaa" can only represent a single amino acid